

**UNITED STATES BANKRUPTCY COURT - within region U.S. TRUSTEE - PANEL
FOR DISTRICT OF DELAWARE**

2008USC-586 and 589)

**In re: TWA, INC. POST CONFIRMATION ESTATE
Debtors.**

UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE

*Payment of certain "disability, disability insurance
claimed benefits under ERISA by PBGC plan, to retiree)*

Herbert McMillian, <i>(Last four SS:#8692)</i>	<u>Employee / Appellant</u>) Chapter 11 Case No. 01-56(PJW) <i>(Jointly Administered)</i>
Trans World Airlines, Inc. et al., <i>(NYS Tax Id#526976</i>	<u>Employer / Appellees</u>) JURY PROMPLTY DEMANDED (under Bankr.P.R.9015(a)).
Hartford Insurance Group, Inc. <i>(Case No.302FC24899 and Worker's Compensation No.07954183) and</i>) (by Fed. R. Civ. P.38(b).).
Underwriter	<u>Reinsurance</u>)

MOTION and NOTICE by APPELLANT, STATEMENT of ELECTION

- 1). **Appeal as of Right;** as to *prejudicial, abuse, Order(s) entered by question* Hon. Peter J. Walsh, Judge in the office of clerk of the above Court, in this action on 13 day of December 2007, of DOCKET item 5909 and 5910 of *falsify confirmation of plan at issues.*
- 2). Appellant elect to *Amend* this APPEAL in the above Case No.01-56 (PJW) to be heard by BANKRUPTCY APPELLATE PANEL FOR THE THIRD CIRCUIT of the 28 U.S.C. ~ 158(c)(1) and Bankr.P. 8001(a)(1) and 8002 and 8005 and referral to U.S. Attorney General to transmit to the U.S.Trustee Panel, pursuant to 28 USC-586 and 589(a)(b).
- 3). To bring into focus a Right of Jury Trial, according, when both legal and equitable claims and issues of Liability, elements of Damage, an amount owed in the *Amend Proof of Claim -uncontested-* presented in civil action for jury resolution, of appellant ERISA by the *full* PBGC plan ,by obligor TWA, Inc. -non- contract retirement policy plan package.

By: Herbert McMillian, Dated: December 26, 2007
 Herbert McMillian, Pro Se for Appellant at 179-17 Anderson Road
 St. Albans, N.Y. 11434 Tele-(718) 723-4693

Filing and Service, by Bankr. P.8002; 8006; 8008 (-attached- Certificate of Service,)
To: Pachulski, Stang, Ziehl, & Jones LLP -and- *TWA Inc. Post Confirmation Estate
 James E. O'Neill , Esq. (Bar No.40442) Jill M. Farmer , General Counsel
 919 North Market Street P.O. Box 12247
 Wilmington, DE 19899-8705 Kansas City, MO 64152

*Its list of Recipient, and Counsel of Record for Appellees (by Rule 2002 and 4001).

CERTIFICATE OF SERVICE

I, the undersigned, Herbert McMillian, pro Se for the Appellant, certify that I, served or cause to be filed on the 26 day of December 2007 a copy of the foregoing relevant document's:

Motion and Notice by Appellant Statement of Election

upon the following *identified* parties in interest the manner indicated: as required by Fed. R. Civ. P. 5(b)(1);

Method of Service: [check mark] U.S. Mail or Fax or Personal or Other:**Appellees -and- Its Respective Counsel of Record**

Pachulski, Stang, Ziehl, & Jones LLP	-and-	TWA, Inc. Post Confirmation Estate
James E. O'Neill, Esq.		Jill M. Farmer, General Counsel
919 North Market Street		P.O. Box 12247
Wilmington , DE 19899-8705		Kansas City, MO 64152

Its Recipient list,

Judge's -and- Trustee

Hon: Peter J. Walsh , Appointed Judge	-and-	Hon: Mary M. Walrath, Chief Judge
United States Bankruptcy Court / DE		United States Bankruptcy Court / DE
824 Market Street		824 Market Street
Wilmington, DE 19899		Wilmington, DE 1989

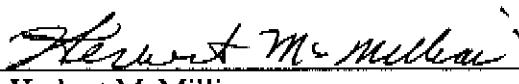
Hon: Sue L. Robinson, Chief Judge	-and-	Mark S .Kenney, Esq.
United States District Court / DE		United States Trustee Office / DE
844 King Street		824 King Street
Wilmington, DE 19801		Wilmington, DE 19801

-and-

[] Personal Service: served and filed original document on day 27 of December 2007 upon the;

David D. Bird , Chief Clerk
United States Bankruptcy Court / DE
824 Market Street
Wilmington DE 19899

Dated: Execution, December 26, 2007



Herbert McMillian,
Pro Se for Appellant
179-17 Anderson Road
St. Albans, NY 11434
(718) 723-4693

STATE OF New York —
COUNTY OF Queens —
SUBSCRIBED AND SWORN TO BEFORE ME
THIS DAY 26 OF December 2007
Michael E Pearson
NOTARY PUBLIC

MICHAEL E. PEARSON
Notary Public, State of New York
No. 01PE6134402
Qualified in Queens County
Commission Expires October 3rd, 2009

A fee here is scarce



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Hon. Suck L. Robinson, Chief Judge
United States District Court
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United States Trustee Office

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UNITED STATES BANKRUPTCY COURT
DISTRICT OF DELAWARE**APPEAL TRANSMITTAL SHEET**Case Number: _____ BK AP

If AP, related BK Case Number: _____

Title of OrderAppealed:

Docket Number: _____

Date Entered: _____

Item Transmitted: Notice of Appeal Motion for Leave to Appeal
 Amended Notice of Appeal Cross Appeal
 Docket Number: _____ Date Filed: _____

*Appellant/Cross Appellant:

*Appellee/Cross Appellee

Counsel for Appellant:

Counsel for Appellee:

**If additional room is needed, please attach a separate sheet.*Filing Fee paid? Yes NoIFP Motion Filed by Appellant? Yes NoHave Additional Appeals to the Same Order been Filed? Yes NoIf so, has District Court assigned a Civil Action Number? Yes No Civil Action # _____Additional Notes:

DateBy: _____
Deputy ClerkBankruptcy Court Appeal (BAP) Number: _____
7/6/06**FOR USE BY U.S. BANKRUPTCY COURT**

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:) Chapter 11
)
TWA INC. POST CONFIRMATION ESTATE,) Case No. 01-00056 (PJW)
)
) Related Docket No. 5898
Debtor.)

ORDER EXTENDING THE TERM OF THE ESTATE

Upon consideration of the TWA Inc. Post Confirmation Estate's (the "Estate") Second Motion to Extend the Term of the Estate (the "Motion") filed by the Estate seeking entry of an order extending the term of the Estate, it is hereby

ORDERED that the Motion is approved; and it is further

ORDERED that the term of the Estate is extended for a one-year period, expiring on June 24, 2009; and it is further

ORDERED that this Order is without prejudice to the right of the Estate to request further extensions of the term of the Estate.

Dated: Dec 12, 2007


The Honorable Peter J. Walsh
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In Re:)
TWA INC. POST CONFIRMATION ESTATE,) Chapter 11
Debtor.) Case No 01-0056 (PJW)
) Related Docket Nos. 5843 & 5858

**ORDER GRANTING RELIEF SOUGHT IN TWA INC.
POST CONFIRMATION ESTATE'S FORTY-FIFTH
SUBSTANTIVE OMNIBUS OBJECTION TO CLAIMS**

Upon consideration of the *TWA Inc. Post Confirmation Estate's Forty-Fifth Omnibus Objection to Claims [Docket No. 5843]* (the "Omnibus Objection")¹ filed by the above-captioned TWA Inc. Post Confirmation Estate (the "Estate"), seeking entry of an order granting relief with respect to certain Claims; no previous request for such relief having been made; due and proper notice of the Omnibus Objection having been given; the Court having entered an Order on June 14, 2007 (Docket No. 5858) granting part of the relief requested and continuing the objection with respect to Claim No. 863800 filed by Orbital No. 1 Ltd., Orbital No. 2 Ltd. (the "Remaining Claim"), and no opposition to the relief sought in the Omnibus Objection having been filed with respect to the Remaining Claim, it is hereby

ORDERED that the Omnibus Objection is granted as uncontested; and it is further

ORDERED that (i) Claim No. 863800 filed by Orbital No. 1 Ltd., Orbital No. 2

Ltd is expunged; and it is further

¹ Capitalized terms not defined herein shall have such meanings as defined in the Omnibus Objection.

ORDERED that the Estate is hereby authorized to amend the claims register for this case to reflect the relief granted in this Order.

Dated: Dec 13, 2007


The Honorable Peter J. Walsh
United States Bankruptcy Judge

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